

OCTOBER 3, 2005
RULE PROPOSAL
COMMUNITY AFFAIRS
DIVISION OF FIRE SAFETY
Proposed New Rules: N.J.A.C. 5:75-2.5 and 2.6
Fire Service Incident Management

Emergency Evacuation Signal; Emergency Radio Communications

Authorized By: Charles A. Richman, Acting Commissioner, Department of Community Affairs.

Authority: N.J.S.A. 52:27D-25k.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2005-370.

Submit written comments by December 2, 2005 to:

Michael L. Ticktin, Esq.
Chief, Legislative Analysis
Department of Community Affairs
PO Box 802
Trenton, New Jersey 08625-0802
Fax: (609) 633-6729

The agency proposal follows:

Summary

The Department proposes to expand the existing incident management rules at N.J.A.C. 5:75 to include new rules governing evacuations and radio transmissions when firefighters are in distress at emergency scenes. The Department recognizes that firefighting is inherently dangerous, but there may be times when the risk posed to firefighters is so great that they would need to evacuate from a hazardous area. Additionally, it is imperative that firefighters at emergencies have the ability to convey their situation via two-way radio to incident commanders or rescue crews utilizing common, standardized and readily recognized terms.

N.J.A.C. 5:75-2.5 would establish a standardized emergency evacuation signal for fire departments and the procedure for utilizing the same. The signal would consist of three consecutive and sequential three to five-second blasts of emergency apparatus air horns commencing and ending upon the order of the incident commander. At the same time, a radio signal would be transmitted to all affected personnel. Upon activation of the signal, all emergency personnel would be required to evacuate the applicable areas, and the personnel accountability system would be effectuated. All fire departments would have to train their personnel with regard to the evacuation signal, and operating procedures or guidelines would have to be developed.

N.J.A.C. 5:75-2.6 would establish standardized terminology and procedures for emergency radio communications for firefighters in distress. The circumstances under which the terms "Mayday" and "urgent" would be utilized would be specified, and fire departments would be required to develop procedures and guidelines and to train their personnel accordingly.

In accordance with N.J.A.C. 1:30-3.3(a)5, the proposed new rules are not subject to the Administrative Procedure Act rulemaking calendar provisions since the Department has established a 60-day comment period.

Social Impact

The proposed new rules would have a positive social impact since they would improve the incident management process at the scene of fire emergencies. These rules would eliminate

some of the confusion at emergency incidents and provide a framework by which all fire departments could improve communication. The ultimate result of these rules would be a reduction in firefighter injuries and loss of life.

Economic Impact

The Department does not believe there would be a significant economic impact since all fire departments train and should be utilizing emergency operating procedures. The training and procedures may need to be updated, however, to comply with the requirements of the proposed rules. Additionally, the costs for radios may be an issue for departments not fully equipped to properly respond to emergencies, but radios can be bought with Uniform Fire Safety Act dedicated penalty funds. These costs, as well as the costs for updated training and operating procedures, would be outweighed by the lives saved as a result of improved evacuations and communications at emergency incidents.

Federal Standards Statement

The proposed new rules are consistent with the requirements of the New Jersey Public Employees' Occupational Safety and Health Act, N.J.S.A. 34:6A-25 et seq., and the Federal standards cited therein, 29 U.S.C. §§651 et seq.

Jobs Impact

The Department does not anticipate the creation or loss of any jobs because of the proposed new rules.

Agriculture Industry Impact

The Department does not anticipate any impact upon the agriculture industry because of the proposed new rules.

Regulatory Flexibility Analysis

The proposed new rules would impose reporting, recordkeeping and other compliance requirements on fire departments and companies that are either governmental entities or quasi-governmental nonprofit organizations. Those departments and companies in the latter category may be considered small businesses, as defined under the Regulatory Flexibility Act, N.J.S.A 52:14B-16 et seq. All entities affected by these new rules would be required to utilize operating procedures in accordance with these rules, and personnel would have to be trained accordingly. This, there would be compliance requirements imposed on them, as well as recordkeeping and reporting requirements necessary to document compliance.

Compliance costs are discussed in the Economics Impact above. Since the proposed new rules affect public health, safety and general welfare, no differing requirement can be established based on size or form of organization. The Department does not believe any expenditure for professional services would be necessary to comply with the proposed new rules.

Smart Growth Impact

The Department does not anticipate the proposed new rules would have any impact upon the achievement of smart growth or the implementation of the State Development and Redevelopment Plan.

Full text of the proposed new rules follows:

5:75-2.5 Emergency evacuation signal

(a) When the risk posed to firefighters is so great that an incident commander must order an evacuation from a hazardous area, a uniform procedure and accompanying audible signal recognizable by all personnel operating on an incident scene shall be established, adopted and utilized by all fire departments as follows:

1. The emergency evacuation signal shall be three consecutive three to five-second blasts of all emergency apparatus air horns at the scene. This sequence shall be repeated until the incident commander reports all personnel have been evacuated from the hazardous area and accounted for or until the incident commander otherwise orders the signal to cease.
2. Whenever an emergency evacuation signal is being sounded, there shall also be a radio message transmitted either from the incident scene or from the designated fire department dispatch center announcing the evacuation order.
3. The emergency evacuation signal shall be activated whenever it becomes necessary for firefighters and related agency personnel to immediately evacuate a building or an area in which emergency operations are taking place due to conditions posing an immediate and probable hazard to life. The evacuation order shall only be conducted upon the order of the incident commander.
4. Upon being alerted to an emergency evacuation signal, all personnel shall evacuate the hazardous area to an area of obvious safety. As all personnel evacuate, they shall warn others in the event they have not been alerted by the signal. During an emergency evacuation, it may be necessary to abandon equipment in order to evacuate the hazardous area quickly and safely. Firefighters should retain any equipment needed to insure personal firefighter safety during the evacuation, that is, self-contained breathing apparatus (SCBA), personal protective equipment (PPE), etc.
5. Once personnel have exited the hazardous area, they shall report to their company officer or assemble in a predetermined area where officers shall take roll of those present. Personnel Accountability Tags (PATs) shall be retrieved by firefighters at the time of roll call. A Personnel Accountability Report (PAR) shall be communicated to the incident commander when the roll call is complete. If it is determined that personnel are missing, resources shall be immediately focused on the goal of rescuing or locating those persons missing.
6. Re-entry to an evacuated hazardous area for normal firefighting-rescue operations shall be permitted only upon the order of the incident commander.
7. Fire departments shall develop and utilize written standard operating procedures/guidelines for using emergency evacuation signals that comply with the requirements of this section.
8. Fire departments shall assure that all emergency response personnel receive training adequate to ensure proficiency in the procedures as set forth in this section.

5:75-2.6 Emergency radio communications

(a) When firefighters encounter conditions that pose an immediate, non-routine threat to their life or safety, they shall convey their situation via two-way radio to incident commanders and/or rescue crews utilizing common, standardized and easily recognizable terms as follows:

1. The term "Mayday" shall be utilized by firefighters and transmitted by way of two-way radio to indicate that a life threatening situation has developed and poses an immediate and extreme risk to firefighters. It shall be used in, but not limited to, the following situations:
 - i. Structural collapse;
 - ii. Imminent danger of structural collapse;
 - iii. Firefighter unconscious or suffering a life threatening injury;
 - iv. Equipment failure posing an imminent danger;
 - v. Firefighter lost and in imminent danger;
 - vi. Firefighter trapped; or
 - vii. Firefighter missing.
2. The term "urgent" shall be utilized by firefighters and transmitted by way of two-way radio to indicate that a non-life threatening situation has developed that poses a serious but not immediate or extreme risk to firefighters. The term "urgent" shall be used in, but not limited to the following situations:
 - i. A member has suffered a serious injury, that is not life threatening;
 - ii. Interior attack mode is being discontinued due to deteriorating conditions and operations

are changing to an exterior attack mode;

iii. Discovery of a structural problem that would indicate the danger of collapse;

iv. Fire discovered entering an exposure to a degree that any delay may considerably enlarge the fire problem;

v. Loss of water that would endanger members;

vi. Equipment failure not posing an imminent danger; or

vii. Firefighter lost and not in imminent danger.

3. The terms "Mayday" and "urgent" are intended for use in situations where immediate two-way radio communications are necessary to protect life or prevent injury and shall be used with discretion.

4. Whenever the term "Mayday" or "urgent" is transmitted via two-way radio, all communications on that frequency are to cease except those between the firefighter initiating the emergency radio transmission and the incident commander and/or the fire department dispatch center. Normal two-way radio use may be resumed upon completion of the emergency message, unless the incident commander orders otherwise.

5. "Mayday" radio transmissions shall have priority over "urgent" transmissions.

6. The procedure for the use of the term "Mayday" is as follows:

i. Firefighters in life-threatening situations shall immediately contact the incident commander via two-way radio stating "Mayday" "Mayday" "Mayday" and then identify themselves.

ii. The incident commander, upon hearing the "Mayday" radio transmission shall acknowledge the person issuing the "Mayday" via two-way radio.

iii. The person making the "Mayday" call shall respond to the incident commander by repeating "Mayday," shall identify themselves, their unit and assignment, shall report the nature of the situation including resources needed and shall give their location. Repeating the "Mayday" radio transmission is intended to give any emergency personnel monitoring the radio frequency that may have missed the first transmission an opportunity to hear and react to the "Mayday" call accordingly.

iv. A person in distress who initiates a "Mayday" call shall activate their personal alert safety system (PASS) device and, if applicable, their radio's emergency button.

7. The procedure for the use of the term "urgent" is as follows:

i. A firefighter in an urgent, non-life threatening situation shall contact the incident commander via two-way radio stating "urgent message" and then identify himself or herself;

ii. The incident commander, upon hearing the "urgent" radio transmission shall acknowledge the person issuing the "urgent message" via two-way radio; and

iii. The person issuing the "urgent message" shall respond to the incident commander by again saying "urgent message," shall identify himself or herself, shall report the nature of the situation and shall give their location. Repeating the "urgent message" radio transmission gives any emergency personnel monitoring the radio frequency that may have missed the first transmission an opportunity to hear and react to the "urgent message" accordingly.

8. "Mayday" and "urgent" transmissions that are not acknowledged shall be repeated until they are acknowledged.

9. Any fire officer or firefighter hearing a "Mayday" or "urgent" signal and realizing that it is not being acknowledged shall acknowledge the radio transmission, ascertain its nature and promptly relay all information to the incident commander.

10. Upon receipt of a "Mayday" or "urgent" radio transmission, the incident commander shall be responsible for determining appropriate actions to mitigate the situation at hand.

11. Fire departments shall develop and utilize written standard operating procedures/guidelines that comply with the requirements of this section for the use of the applicable emergency radio transmissions.

12. Fire departments shall assure that all emergency response personnel receive training adequate to ensure proficiency in the procedures as set forth in this section.